



## U.S. Department of Justice

### Federal Bureau of Investigation

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*CALEA Implementation Section  
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As you are aware, the Federal Bureau of Investigation (FBI) has been delegated by the Attorney General with implementing the Communications Assistance for Law Enforcement Act (CALEA) on behalf of the law enforcement community. CALEA clarifies and further defines telephone companies' existing statutory obligation to assist law enforcement in executing electronic surveillance orders. CALEA does not change or expand law enforcement's fundamental statutory authority to conduct various types of electronic surveillance. It simply seeks to ensure that after law enforcement obtains the appropriate authority, telecommunications carriers will have the necessary technical capability and sufficient capacity to fulfill their statutory obligations to assist law enforcement.

Section 104 of CALEA requires the Attorney General to publish a notice of the actual and maximum number of simultaneous communications interceptions, pen registers, and trap and trace devices that the Attorney General estimates all law enforcement agencies authorized to conduct electronic surveillance may need. On March 12, 1998, the FBI published a Final Notice of Capacity (63 Fed. Reg. 12218) which addressed capacity requirements for local exchange, cellular, and broadband personal communications services (PCS).

The FBI is now in the initial stages of addressing the implementation of Section 104 of CALEA for telecommunications technologies and services *other than* local exchange, cellular, and broadband PCS. On December 18, 1998, the FBI published a Notice of Inquiry (63 Fed. Reg. 70160) to offer certain telecommunications carriers and all other interested parties with an opportunity to provide comment to the FBI with regard to law enforcement's estimated future capacity requirements for the other technologies and services that were not addressed in the March 12, 1998, Final Notice of Capacity.

Attached you will find a copy of the Notice of Inquiry, which is also available on the FBI's Web site (<http://www.fbi.gov/calea/calea1.htm>). I urge you, your colleagues, and/or clients to take this opportunity to provide any comments which would further the understanding of issues faced by your segment of the telecommunications industry. **Comments must be received on or before February 16, 1999.**

We appreciate your participation in this process. Please note that this proceeding permits ex parte communications pursuant to 28 C.F.R. 50.17.

Sincerely,

Rozanne R. Worrell  
Supervisory Special Agent  
Capacity Program Manager

Enclosure